

TRANSFER BETWEEN PROVIDERS POLICY AND PROCEDURES

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TRANSFER BETWEEN PROVIDERS POLICY AND PROCEDURES

1. Purpose

The purpose of the Transfer Between Providers Policy and Procedures is to describe the circumstances under which MHE will enrol an international student transferring to MHE and release an international student from MHE to another registered provider, prior to the completion of six months of study in their principal course. The policy ensures MHE is compliant with the ESOS Act and the requirements of the National Code, Standard 7.

2. Scope

This policy applies to all international students holding a student visa and requesting a transfer or release before the completion of six months of their principal course. This policy does not apply to international students who:

- have completed six months of their principal course with MHE
- transfer to another course within MHE or
- hold a visa, that is not a student visa, and that visa is not subject to the National Code.

3. Definitions

Compassionate or compelling circumstances - circumstances beyond the control of the student and which have an impact upon the student's course progress or wellbeing. These could include:

- serious illness or injury, where a medical certificate states that the student is unable to continue in the course
- a traumatic experience which could include but is not limited to, involvement in or witnessing of an accident or a crime committed against the student; or,
- the student has been a witness to a crime, and this has impacted on the student (these cases should be supported by police or psychologists' reports).

PRISMS - The Provider Registration and International Student Management System (PRISMS) is the system used to process information given to the Federal Department of Education by registered providers.

Principal Course of Study - The principal course of study refers to the course of study to be undertaken by an overseas student, or where a student visa has been issued for multiple courses of study it is the final course of study.

4. Policy Statement

Transferring from another registered provider to MHE

4.1 An international student wishing to transfer to MHE before the student has completed six months of their principal course with another registered provider, will only be issued a Confirmation of Enrolment (CoE) after signing the Offer of Acceptance and Written Agreement, paying the required deposit, and where one of the following scenarios apply:

- The original registered provider, or the course in which the international student is enrolled, has ceased to be registered
- The original registered provider has had a sanction imposed on its registration by TEQSA that prevents the international student from continuing their course at that registered provider
- The original registered provider has agreed to the international student's release and recorded the release on PRISMS or
- Any government sponsor of the international student considers the change to be in the international student's best interests and has provided written support for the change.

International students seeking release from MHE

4.2 MHE retains the right to refuse or grant a release to a student wishing to transfer to another provider prior to completing six months of their principal course at MHE subject to the provisions outlined below.

4.3 Students seeking to transfer to another registered provider and who have not yet completed six months of their principal course may apply for a release where MHE determines granting the release is in the best interests of the student. The circumstances MHE deems as being in the student's best interests may include (but are not limited to):

- The student is in receipt of a packaged Confirmation of Enrolment (CoE) and has not met the requirements for the principal course.
- The student is not meeting satisfactory course progress at the level they are studying after being genuinely engaged with MHE's intervention and support strategies
- MHE fails to provide the course as detailed in the letter of offer
- The student provides evidence that their reasonable expectations about their current course are not being met
- The student provides evidence they were misled by MHE or an International Representative of MHE, regarding MHE or its course and the course is unsuitable to their needs and/or study objectives
- An internal or external appeal on another matter results in a decision or recommendation to release the student
- The student provides evidence of compassionate or compelling circumstances which have not been resolved using MHE's support services including (but not limited to):
 - serious illness or injury affecting a student's ability to study
 - witnessing or being the victim of a serious crime
 - bereavement of close family members, such as parents or grandparents
 - major political upheaval or natural disaster in a student's home country or
 - traumatic upheaval

4.4 If a release is granted, it will be at no cost to the student.

4.5 Any requests for refund of tuition fees will be in accordance with MHE's *Fees and Refunds Policy*.

4.6 MHE may refuse to release a student seeking to transfer to another registered provider before the completion of six months of their principal course including (but not limited to) where:

- The request is considered detrimental to the student's wellbeing as determined by the Dean or delegated authority.
- The student has not submitted to MHE a valid enrolment offers from another registered provider, as per the Procedures outlined below
- The student does not meet the stated requirements in this Policy or has not provided adequate evidence
- The student is under 18 years of age and no written evidence has been submitted from the parent or legal guardian to support the transfer and/or and does not have suitable arrangements for accommodation, support and general welfare
- The student has not exhausted access to MHE's support services for assistance with personal or study issues, including as part of an intervention strategy where the student has been determined by delegated authority as not meeting satisfactory course progress
- The student has an outstanding debt with MHE
- The student is changing their principal course to a lower AQF level or non-AQF level
- The reason for the request is based on accommodation or employment issues
- The student is avoiding being reported to the relevant government department for failure to meet MHE's attendance or academic progress requirements
- The student's enrolment status at MHE is suspended or excluded due to breaching the *Student Code of Conduct*, MHE's rules, regulations and policies
- The student claims financial hardship or is transferring to another provider where tuition fees are lower
- The reason for the request is based on a change of mind about the course and provider or,
- The student submits fraudulent documentation to support the release request.

4.7. Approval of release by MHE is not required if the student:

- Has been studying in their principal course for six months or more
- Intends to discontinue their studies and return to their home country
- Any government sponsor of the international student considers the change to be in the international student's best interests and has provided written support for the change
- MHE has ceased to be registered, or the course in which the student is enrolled has ceased to be registered or
- MHE has had a sanction imposed on it by the TEQSA that prevents the student from continuing their principal course.

4.8. A student will receive written notification to their MHE email address of the outcome of their request for release to transfer to another registered provider normally within ten working days of the submission of the formal request.

5. Release Request Procedures

These procedures set out the four key processes involved in assessing an international student's request for a release from MHE.

1. *Submit request*

An international student who has completed less than six months of the principal course at MHE must submit a request to transfer to another registered provider to seek approval for release and apply to withdraw from their course.

- a. The student must complete the online form by census date together with supporting documentation including but not limited to:
 - i. Statement of reasons for the release request
 - ii. Documentation satisfactory to MHE supporting the release
 - iii. Valid offer letter from the receiving provider
 - iv. If under 18, written evidence that the parent or legal guardian supports the transfer. If not cared for in Australia by a parent or suitable nominated relative, evidence the receiving provider has accepted responsibility for approving accommodation, support and general welfare.
- b. The student must remain enrolled at MHE until the final decision has been determined

2. *Release request assessment and outcome*

The release request is assessed as per the Transfer Between Providers Policy and Procedure, which is informed by the National Code, Standard 7. A student will be notified in writing of the outcome and advised of their right to lodge a complaint about the decision if the release is not approved.

The Student Administration Manager assesses and makes a decision on the request for release based on the Transfer Between Providers Policy and the evidence submitted.

- a. The student will be contacted if further documentation is required.
- b. The transfer request outcome is recorded in PRISMS.
- c. If the release request is granted, the student will be:
 - i. Sent an email to their MHE email address advising of the outcome; and,
 - ii. Advised to contact the Department of Home Affairs to determine whether a change of enrolment may breach visa conditions and if a new student visa is required.
- d. If the release request is refused, the student will be sent an email notification including:
 - i. The reasons for refusal; and
 - ii. Their right to lodge a complaint about the decision within twenty working days as per the Student Grievances and Complaints Policy and Procedures.

3. *Appeals*

A student has the right to lodge a complaint under the provisions in the Student Grievances and Complaints Policy and Procedures about the decision that resulted in their request for release being refused. The student must submit that complaint about the decision as per the Student Grievances and Complaints Policy and Procedures

Student Services is notified of the outcome of the review of the decision and proceeds to record the outcome in PRISMS if:

- a. The refusal decision is upheld
- b. The student has chosen not to access the process outlined in Student Grievances and Complaints Policy and Student Grievances and Complaints Procedures within twenty working days or
- c. Has withdrawn from the process.

If the outcome of the appeal is to grant the release, Student Services will then process the release request and notify the student accordingly.

4. *Recording and reporting in PRISMS*

Release requests are recorded on PRISMS accordingly and the student management system. The release request and decision to grant or refuse (only after the process described in the Student Grievances Policy and Procedures has been exhausted or the student does not appeal within twenty working days) the release is recorded in:

- a. PRISMS, in accordance with the current PRISMS User Guide. Reporting includes the outcome (grant or refusal status), reasons and date of effect. The report via PRISMS must be completed within:
 - i. fourteen days from the date the event occurs (the termination date) for students under eighteen years of age; or
 - ii. thirty-one days from the date the event occurs (the termination date) for students over eighteen years of age.
- b. The student management system, including discontinuing the student's enrolment (for students granted a release).
- c. MHE will not finalise the student's refusal status in PRISMS until
 - the appeal finds in favour of MHE, or
 - the overseas student has chosen not to access the complaints and appeals processes within the twenty-working-day period, or
 - the overseas student withdraws from the process.

The release request documentation is saved in the student management system. MHE will maintain records of student request for a release and the assessment of, and decision regarding the request for at least two years after cessation of enrolment.

6. Responsibilities

The Student Administration Manager is responsible for final approvals. Student Administration staff are responsible for processing all applications to enter and leave higher education courses at MHE. The Student Administration Manager is responsible for advising applicants of the outcome of their applications by email.

7. Implementation and communication

This procedure will be implemented and communicated through the Institute via:

- Announcement on the Institute's webpage
- Student orientation courses
- Student handbook.



8. Associated Documents

- Release Letter Request Form
- Student Admission Policy and Procedures
- Student Grievances and Complaints Policy and Procedures

9. Version control and change history

Version	Approval date	Approved by	Summary of changes
1.0	29 th July 2022	Academic Board	

10. Reference /Benchmark

University of Technology Sydney

The University of Sydney

International College of Management Sydney